

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Keene CONFIRMATION NO.: 8878
SERIAL NO.: 10/597,990 GROUP NO.: 3753
FILING DATE: 08/15/2006 EXAMINER: John C Fox
TITLE: COMBINATION FLOW THROUGH INJECTION AND
ISOLATION VALVE FOR HIGH PRESSURE FLUIDS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Sir:

In response to the Office Action mailed from the U.S. Patent Office on November 20, 2008, Applicant submits this Response. Applicant respectfully requests a one month extension of time to and including January 20, 2009 as set forth in the Transmittal Letter filed concurrently herewith. The Transmittal Letter further authorizes the Commission to charge any required fees to Deposit Account 23-0503.

Claims 1-137, of which claims 1, 8, 21, 37, 53, 83, 113, 130 and 131 are independent, are pending in the application.

The Examiner contends the present Application is directed to a plurality of independent and distinct inventions. The Examiner contends the different inventions are represented by eighteen groups of claims. Group 1 is drawn to a valve represented by claims 1-4, 31-33 and 35. Group 2 is drawn to a valve represented by claims 8-17. Group 3 is drawn to a valve represented by claims 21-26, 30, 34 and 36. Group 4 is drawn to two valves represented by claims 37-49. Group 5 is drawn to two valves

represented by claims 53-58, 62-82 and 112. Group 6 is drawn to two valves represented by claims 83-88 and 92-111. Group 7 is drawn to two valves represented by claims 113-118 and 122-129. Group 8 is drawn to a method of operating a valve represented by Claim 130. Group 9 is drawn to a method of operating two valves represented by claim 131. Group 10 is drawn to an high performance liquid chromatography system represented by claims 5-7. Group 11 is drawn to an high performance liquid chromatography system represented by claims 18-20. Group 12 is drawn to an high performance liquid chromatography system represented by claims 27-29. Group 13 is drawn to an high performance liquid chromatography system represented by claims 50-52. Group 14 is drawn to an high performance liquid chromatography system represented by claims 59-61. Group 15 is drawn to an high performance liquid chromatography system represented by claims 89-91. Group 16 is drawn to an high performance liquid chromatography system represented by claims 119-121. Group 17 is drawn to a method of operating a high performance liquid chromatography system represented by claims 132-134. And, Group 18 is drawn to a method of operating a high performance liquid chromatography system represented by claims 135-137. The Office Action requires Applicant to elect a single one invention or group of claims.

Applicant provisionally elects, with traverse, the invention of Group 10 drawn to an high performance liquid chromatography system represented by claims 8-10. Applicant respectfully requests reconsideration of this election requirement.

Applicant respectfully submits the inventions, groups and claims are sufficiently related to define but one invention. For example, Group 1 is drawn to a valve, which valve has features particularly suitable for use in a HPLC system, for example that of Group 10. Group 8 is drawn to an invention directed to a method of operating a valve which valve has features in common with the invention of Group 1. Group 4 is drawn to multiple valves of the type defined by Group 1 and potentially within an HPLC system of

Group 10. Group 9 is a method of use of the multiple valves which valves have features of the valves of Group 4. Group 17 is directed to a method of use of a HPLC system as defined by Group 10.

Applicant therefore respectfully submits that the examination of all 137 claims should proceed in a single application. A single application would allow for the most efficient prosecution and would not put an undue burden on the Examiner. However, in the event the Examiner makes the restriction requirement final, Applicant will cancel claims directed to non-elected subject matter.

The Examiner contends that the Figures further define distinct species of the invention. The Office Action further requires election of a single species directed to groups of Figures. The Examiner contends Figures 1A-3D define a first species (Species 1), and Figures 4A and 4B defines a second species (Species 2).

Applicant provisionally elects, with traverse, Species 1. Applicant submits such species relates to claims 1-137. Applicants request reconsideration of the restriction requirement as to species.

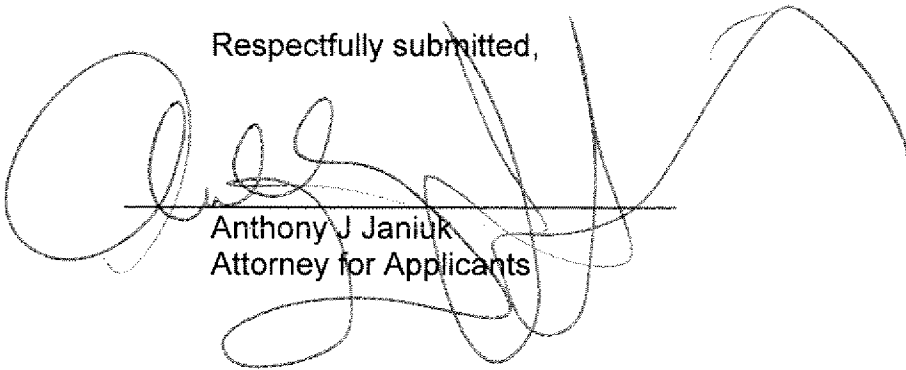
Applicant respectfully submits that the subject matter of the figures is not mutually exclusive. The prosecution of all species can be most efficiently dealt with in a single application and would not put an undue burden on the examiner.

Applicant respectfully submits the present Application is in condition for allowance which action is earnestly solicited. Applicant believes that no further fees are due with this Response, however, the Commissioner is hereby authorized to charge any required fees to Deposit Account No. 23-0503.

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Date: January 12, 2009

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Respectfully submitted,



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